

Article - State Finance and Procurement

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§5–7B–06.

(a) The State may provide funding for a growth–related project not in a priority funding area without receiving approval from the Board of Public Works as provided under § 5–7B–05 of this subtitle for:

- (1) a project that is required to protect public health or safety;
- (2) a project involving federal funds, to the extent compliance with this subtitle would conflict or be inconsistent with federal law;
- (3) a growth–related project related to a commercial or industrial activity which, due to its operational or physical characteristics, shall be located away from other development, including:
 - (i) a natural resource based industry;
 - (ii) an industry relating to:
 1. agricultural operations, as defined in § 7–101 of the Labor and Employment Article;
 2. forestry activities; or
 3. mineral extraction;
 - (iii) an industry that is proximate to:
 1. an airport facility;
 2. a port facility;
 3. a railroad facility;
 4. a transit facility; or
 5. a major highway interchange; or

(iv) a tourism facility or museum that is required to be located away from other development due to necessary proximity to specific historic, natural, or cultural resources; or

(4) a growth-related project involving funding for a project under:

(i) § 7-314 of this article;

(ii) Title 5, Subtitle 3, Subtitle 4, or Subtitle 5 of the Economic Development Article; or

(iii) Title 6, Subtitle 2 or Subtitle 3 of the Housing and Community Development Article.

(b) A procedure for notification, review, and comment on exceptions proposed under this section shall be established jointly by the applicable State agency and the Department of Planning.

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